



Entered on Docket  
October 23, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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and

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Wells Fargo Bank, N.A.  
09-76081

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Thomas Michael Scully Jr. and Dawn Marie Scully

Debtors.

BK-09-21353-mkn

Date: 9/30/09  
Time: 1:30pm

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
3 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject  
4 property, generally described as 17501 Old Stone Court, Hagerstown, MD 21740.  
5

6 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
7 Debtors and Trustee at least five business days' notice of the time, place and date of sale.  
8

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
10 withdraws its secured Proof of Claim filed in this matter.

11 DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

12 Submitted by:

13 **WILDE & ASSOCIATES**

14 By 

**GREGORY L. WILDE, ESQ.**

15 Attorney for Secured Creditor  
16 208 South Jones Boulevard  
Las Vegas, Nevada 89107

17 APPROVED / DISAPPROVED  
18

19 \_\_\_\_\_  
Louis M. Minicozzi, III  
20 2441 W. Horizon Ridge Parkway  
Suite 120  
21 Henderson, NV 89052  
Attorney for Debtor(s)

22 APPROVED / DISAPPROVED  
23

24 \_\_\_\_\_  
Kathleen A Leavitt  
25 201 Las Vegas Blvd., So. #200  
Las Vegas, NV 89101  
26 Chapter 13 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

23  
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor